

By: Krause

H.B. No. 1551

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a commission to review certain penal laws of this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. COMMISSION TO STUDY CERTAIN PENAL LAWS. (a) A commission is created to study and review all penal laws of this state other than criminal offenses:

- (1) under the Penal Code;
- (2) under Chapter 481, Health and Safety Code; or
- (3) related to the operation of a motor vehicle.

(b) The commission shall:

(1) evaluate all laws described by Subsection (a) of this section; and

(2) make recommendations to the legislature regarding the repeal or amendment of laws that are identified as being unnecessary, unclear, duplicative, overly broad, or otherwise insufficient to serve the intended purpose of the law, including the laws identified by the commission created by Section 29, Chapter 1251 (H.B. 1396), Acts of the 84th Legislature, Regular Session, 2015, as requiring additional review.

(c) The commission is composed of nine members appointed as follows:

- (1) two members appointed by the governor;
- (2) two members appointed by the lieutenant governor;

1 (3) two members appointed by the speaker of the house
2 of representatives;

3 (4) two members appointed by the chief justice of the
4 Supreme Court of Texas; and

5 (5) one member appointed by the presiding judge of the
6 Texas Court of Criminal Appeals.

7 (d) The officials making appointments to the commission
8 under Subsection (c) of this section shall ensure that the
9 membership of the commission includes representatives of all areas
10 of the criminal justice system, including prosecutors, defense
11 attorneys, judges, legal scholars, and relevant business
12 interests.

13 (e) The governor shall designate one member of the
14 commission to serve as the presiding officer of the commission.

15 (f) A member of the commission is not entitled to
16 compensation or reimbursement of expenses.

17 (g) The commission shall meet at the call of the presiding
18 officer.

19 (h) Not later than November 1, 2018, the commission shall
20 report the commission's findings and recommendations to the
21 governor, the lieutenant governor, the speaker of the house of
22 representatives, the Supreme Court of Texas, the Texas Court of
23 Criminal Appeals, and the standing committees of the house of
24 representatives and the senate with primary jurisdiction over
25 criminal justice. The commission shall include in its
26 recommendations any specific statutes that the commission
27 recommends repealing or amending.

1 SECTION 2. APPOINTMENT OF MEMBERS. Not later than the 60th
2 day after the effective date of this Act, the governor, the
3 lieutenant governor, the speaker of the house of representatives,
4 the chief justice of the Supreme Court of Texas, and the presiding
5 judge of the Texas Court of Criminal Appeals shall appoint the
6 members of the commission created under this Act.

7 SECTION 3. ABOLITION OF COMMISSION. The commission is
8 abolished and this Act expires December 31, 2018.

9 SECTION 4. EFFECTIVE DATE. This Act takes effect
10 immediately if it receives a vote of two-thirds of all the members
11 elected to each house, as provided by Section 39, Article III, Texas
12 Constitution. If this Act does not receive the vote necessary for
13 immediate effect, this Act takes effect September 1, 2017.